

**REMARKS**

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, it is respectfully noted that the present application claims the benefit of foreign priority to Japanese Patent Application No. 2000-092009, filed March 29, 2000. In support thereof, a Claim for Convention Priority and a certified copy of the priority document was filed in the Patent Office on September 19, 2002. The Examiner is respectfully requested to acknowledge the claim for foreign priority and the receipt of the certified copy of the priority document.

By the above amendments, claim 27 has been amended for clarification purposes to depend from claim 26. New dependent claims 28-32 have been added which are directed to additional aspects of the present invention. Support for such new claims can be found in the instant specification at least at page 10, lines 8-10, taken in connection with page 11, line 24 to page 12, line 21; page 14, lines 14-19; and pages 34-36.

In the Official Action at page 2, the Patent Office has noted that claim 27 (which depends from claim 19) recites the phrase "the low refractive index layer", but claim 19 does not contain antecedent basis for such term. In response thereto, claim 27 has been amended to depend from claim 26, which recites a "low refractive index layer".

Claims 19-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,853,801 (*Suga et al*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

According to one aspect of the present invention as defined by claim 19, a method for producing an antiglare film is provided comprising a transparent support having thereon an antiglare layer, the method comprising forming an antiglare layer and rubbing the surface of the antiglare layer or the surface of a layer positioned above the antiglare layer.

*Suga et al* relates to a process for the preparation of a continuous optical compensatory sheet (col. 1, lines 7 and 8). *Suga et al* discloses coating a coating liquid of a resin for forming an orientation layer in a solvent on a surface of a moving continuous transparent film, and drying a coated layer to form a transparent resin layer (col. 8, lines 8-13). *Suga et al* also discloses subjecting the transparent resin layer to rubbing treatment by the use of a rubbing roller to impart orientation property to the transparent resin layer, whereby an orientation layer is obtained (col. 8, lines 14-17). *Suga et al* further discloses that dust on the surface of the orientation layer is removed using a surface dust-removing machine disposed in the vicinity of the rubbing machine (col. 8, lines 54-56).

*Suga et al* fails to disclose each feature recited in claim 19, and as such fails to constitute an anticipation of such claim. For example, *Suga et al* does not disclose rubbing the surface of an antiglare layer or the surface of a layer positioned above the antiglare layer, as recited in claim 19.

By comparison, *Suga et al* discloses forming a transparent resin layer, and subjecting this transparent resin layer to a rubbing treatment. *Suga et al* has no disclosure that the transparent resin layer functions as an antiglare layer, as is presently claimed. Rather, *Suga et al* discloses that the transparent resin layer is formed into an orientation layer by rubbing the transparent resin layer. There is simply no disclosure that either the transparent resin layer or the orientation layer

formed therefrom, functions as an antiglare layer. Moreover, the Patent Office has not provided any reasoning or scientific evidence which establishes with certainty that the transparent resin layer or orientation layer disclosed by *Suga et al* inherently functions as an antiglare layer.

For at least the above reasons, it is apparent that *Suga et al* does not constitute an anticipation of claim 19. Accordingly, withdrawal of the §102(b) rejection is respectfully requested.

Claims 22-24 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,074,741 (*Murata et al*) in view of *Suga et al*. Claims 26 and 27 stand rejected under 35 U.S.C. §103(a) as being obvious over International Publication No. WO 97/30021 (*WO '021*) in view of *Suga et al*. Claims 22 and 25 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,033,743 (*Suzuki et al*) in view of *Suga et al*. Withdrawal of these rejections is respectfully requested for at least the following reasons.

The Patent Office has taken the position that each of *Murata et al*, *WO '021* and *Suzuki et al* discloses an antiglare layer. The Patent Office has acknowledged that *Murata et al*, *WO '021* and *Suzuki et al* do not disclose or suggest rubbing the surface of an antiglare layer or the surface of a layer positioned above the antiglare layer, as recited in claim 19 (Official Action at pages 4-6).

The Patent Office has relied on *Suga et al* to cure the above-described deficiencies of *Murata et al*, *WO '021* and *Suzuki et al*. However, it is respectfully but strenuously submitted that *Suga et al* is not properly combinable with *Murata et al*, *WO '021* and *Suzuki et al* in the manner asserted by the Patent Office.

In this regard, the Patent Office has taken the position that it would have been obvious to rub the surfaces of the antiglare layers allegedly disclosed by *Murata et al*, *WO '021* and *Suzuki et al*, in the manner disclosed by *Suga et al*, "given that Suga et al. specifically disclose that subjecting a resin layer to rubbing treatment by the use of a rubbing roller imparts orientation property to the resin layer" (Official Action at pages 5-7). However, the Patent Office has failed to provide any reason why one of ordinary skill in the art would have found it to be desirable to impart an orientation property to such layers disclosed by *Murata et al*, *WO '021* and *Suzuki et al*.

*Suga et al* discloses that the purpose of the orientation layer is to define an orientation direction of a discotic liquid crystalline compound coated thereon (col. 16, lines 47-50). That is, the purpose of rubbing the transparent resin layer of *Suga et al* is to orient a discotic liquid crystalline compound subsequently coated thereon. One of ordinary skill in the art would not have been motivated to rub the layers disclosed by *Murata et al*, *WO '021* and *Suzuki et al* in the manner taught by *Suga et al*, because such layers are not subsequently coated with a discotic liquid crystalline compound to be oriented. Moreover, no motivation or suggestion exists to coat such layers disclosed by *Murata et al*, *WO '021* and *Suzuki et al*, with a discotic liquid crystalline compound.

For at least the above reasons, no *prima facie* case of obviousness has been established. Accordingly, withdrawal of the above §103(a) rejections is respectfully requested.

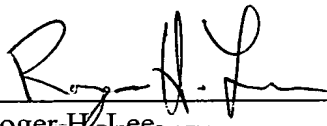
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

Application No. 09/819,816  
Attorney's Docket No. 019519-303

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
\_\_\_\_\_  
Roger H. Lee  
Registration No. 46,317

P.O. Box 1404  
Alexandria, VA 22313-1404  
(703) 836-6620

Date: January 20, 2004